

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
THURSDAY APRIL 11, 2013
INDIANA GOVERNMENT CENTER SOUTH
CONFERENCE CENTER, ROOM C
302 W WASHINGTON STREET
INDIANAPOLIS, IN 46204**

CALL TO ORDER

The meeting was called to order at 11:10 a.m. by P. St. Pierre, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

BOARD MEMBERS PRESENT: Paul St. Pierre, Chairman
Samuel Frain
James Todd
John Gerlach
Theodore Mau
Roland Cutter

BOARD MEMBER ABSENT: Anne M. Patterson
Matthew Drury

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Rae Harman, Assistant Board Director
Jeanne Tucker, Inspector
Kevin McDowell, Deputy Attorney General

ADOPTION OF THE AGENDA

The April 11, 2013 agenda was adopted as amended.

Frain/Mau
6/0/0
Motion carried.

ADOPTION OF THE MINUTES OF FEBRUARY 7, 2013 MEETING OF THE BOARD

The minutes of the February 7, 2013 meeting of the board was adopted as amended.

Frain/Mau
6/0/0
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF SAMUEL CLINE PERRY, FI21200059, SBFCS 12-04

A motion was made and seconded to deny Respondent's petition to have his probation withdrawn. Further, Respondent's license shall remain on Indefinite Probation until he has completed two (2) crash law courses. The courses must be completed by December 31, 2013.

Todd/Cutter
6/0/0
Motion carried.

OFFICE OF THE ATTORNEY GENERAL REPORT

Written report provided.

APPLICATION FOR RENEWAL OF CERTIFICATE OF AUTHORITY

A motion was made and seconded to suspend the certificate of authority in the matter of H.E. Johnson & Sons Funeral Home, CA09100421 and require a personal appearance upon compliance and filing of annual reports for 2010, 2011, and 2012.

Mau/Frain
6/0/0
Motion carried.

APPLICATIONS FOR RENEWAL OF EMBALMER LICENSE

A motion was made and seconded to deny the application for renewal of the embalmer license due to the fact that the license was not valid June 30, 1985 pursuant to IC 25-15-4-4 in the matter of Kenneth Barber. The board suggested he apply for a funeral director intern license.

Todd/Frain
4/0/0
Motion carried.

A motion was made and seconded to table the application for renewal pending documentation regarding the criminal and probation matters in the matter of Terry L. Warner, FD20400086.

Todd/Cutter
4/0/0
Motion carried.

REQUEST FOR ACTIVATION OF INACTIVE LICENSE

A motion was made and seconded to suspend the license and require 2 hours of continuing education in ethics and 8 hours of continuing education in Indiana law, all to be non distance learning in the matter of Charles Rox, FD20900039.

Cutter/Frain
4/0/0
Motion carried.

APPLICATION FOR FUNERAL DIRECTOR INTERN LICENSE

A motion was made and seconded to table the application for funeral director intern license due to the criminal conviction and the fact that he is still incarcerated on house arrest in the matter of Rodney Bracken.

St. Pierre/Todd
4/0/0
Motion carried.

APPLICATION FOR FUNERAL HOME LICENSE AND CERTIFICATE OF AUTHORITY

A motion was made and seconded to deny the application based on the previous disciplinary action regarding owner Marvin Boatright in the matter of Boatright Family Services.

Cutter/Frain
6/0/0
Motion carried.

DISCUSSION OF THE BALANCE REVIEW PROCESS FOR THE PRENEED CONSUMER PROTECTION FUND AND THE CONSUMER PROTECTION FUND FOR CEMETERY MAINTENANCE

No discussion.

REQUESTS FOR APPROVAL OF MORTUARY SCIENCE PROGRAM

1. Des Moines Area Community College

A motion was made and seconded to approve the mortuary science program.

Todd/Cutter
4/0/0
Motion carried.

2. Vincennes University

A motion was made and seconded to approve the mortuary science program.

Todd/Cutter
4/0/0
Motion carried.

CONTINUING EDUCATION AUDIT RESULTS REPORT

A motion was made and seconded to issue a notice of non-compliance, impose a \$1000 fine and place the license on conditional status for the following individuals. Those that fail to comply with the notice of non-compliance or appeal the decision will be suspended.

FD29400072	Baker, Mark C
FD20400061	Maguire, James A.
FD01024459	Wittenbraker, Michael E.
FD29400015	Whitehead, Brian L.
FD20400008	Wessel, Scotty Gene
FD20700054	Troxell, Tyler Austin
FD08600385	Jarvis, Jennifer M.
FD29800129	Stucker, Brenton Wayne
FD29800076	Hunt, Hugh Russell
FD01020853	Hostetler, Kathleen J
FD20000325	Dohrn, John H.
FD01019529	Hostetler, John C
FD09000001	Beeker, M. Darin
FD01017030	Stegall, Matthew
FD01014765	Spear, James David
FD20300009	Denney, Kristen Jon
FD01013573	Hartzler, Larry D
FD01052985	Brosmer, Raymond C.
FD01002752	Gilliland, Charles
FD20900066	Congleton, Lee
FD20200005	Mullis, Cindy S
FD29600067	Gholar, Robert
FD08700507	Monnett, Gregory Keith

FD01016806 Grayson, Elsa
FD01019692 Smith Jr., Samuel
FD29600104 Horn, Michael Alan
FD20100065 Brazzell, Megan Ellen
FD20700037 Blevins, Daniel
FD20600043 Stal, Jeffrey
FD20800064 Perry, Feather Lynne
FD20200013 Mingles, William C.
FD20500036 Kueber, Jennifer

Frain/Todd
4/0/0
Motion carried.

VERIFIED COMPLAINT REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

1. Mary Jane Hite for Alfred Mason Freeland

Re: Northeast Indiana Cremation Society, CR30000006 (Closed)

A motion was made and seconded to approve the request for restitution not to exceed the cost of the at-need contract.

Todd/Mau
6/0/0
Motion carried.

2. Cheryl Bumgardner or Dorothy Bumgardner

Re: Northeast Indiana Cremation Society, CR30000006 (Closed)

A motion was made and seconded to approve the request for restitution not to exceed the cost of the at-need contract.

Frain/Todd
6/0/0
Motion carried.

3. Kathryn Niedert for Mamie Babbitt

Re: H. Robert Lang Funeral Home, FD08600644 (Revoked)

A motion was made and seconded to deny the request for restitution. Steinke Funeral Home is a successor owner of the Lang Funeral Home, therefore Steinke Funeral Home is responsible for performing the contract.

Frain/Mau
6/0/0
Motion carried.

4. Scott Carlson & Darlen Truby for Donald Spurgeon

Re: H. Robert Lang Funeral Home, FD08600644 (Revoked)

A motion was made and seconded to deny the request for restitution. Steinke Funeral Home is a successor owner of the Lang Funeral Home, therefore Steinke Funeral Home is responsible for performing the contract.

Frain/Todd
6/0/0
Motion carried.

5. Flint & Maguire Funeral Home for Norval C. Walker

Re: Vandivier-Parsley Funeral Home, FH83002283 (Closed)

A motion was made and seconded to approve the request for restitution not to exceed the cost of the at-need contract.

Todd/Mau
6/0/0
Motion carried.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to approve the following continuing education.

Frain/St. Pierre
5/0/0
Motion carried.

APPLICATION FOR RECOGNITION AS A SPONSOR OF CONTINUING EDUCATION

In It For Life, LLC, 4512 Broadmoor Drive, Lawrence, KS, 66047

- C.A.R.E.R.ing C.A.R.E.munication-Effective Arrangements, TBA, 6 ceu

Trigard Burial Vaults/Greenwood, Inc., 3901 N. Vermilion Street, Danville, IL, 61834

- Burial Vault Sales and Marketing, TBA 2013, 2 ceu
- Bronze Memorialization Sales and Marketing, TBA 2013, 1 ceu

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

Aurora Casket Company

- Lifetimes – A Balanced Funeral Arrangement, May 22, 2013, 6 ceu

Dodge Institute For Advanced Mortuary Studies

- Dodge Managerial Seminar, March 4-5, 2013, 9 ceu
- Dodge Technical Seminar, March 7-8, 2013, 9 ceu

D.O. McComb & Sons Funeral Homes

- Exploring Ten Touchstones for Caring for the Mourner: Essential Caregiver Principles and Practices, April 24, 2013, 5 ceu

FuneralCE

- Communicating Effectively with Seniors, Ongoing, 2 ceu
- Working Ethically with Seniors, Ongoing, 3 ceu

Indiana State Coroners Training Board

- 40-Hour Medicolegal Death Investigators Course, February 8-10 and February 22-24, 2013, 40 ceu

International Cemetery, Cremation, & Funeral Association

- ICCFA Annual Convention & Exposition, April 10-13, 2013, 15 ceu

International Order of the Golden Rule (OGR)

- Growing Your Firm in Today's Economy, February 28, 2013, 1 ceu
- Employee Concerns: Funeral Home Liability & OSHA Compliance, March 28, 2013, 1 ceu
- Alternatives to Embalming, May 23, 2013, 1 ceu
- Telecommunications to Manage & Grow Your Funeral Home, September 26, 2013, 1 ceu
- Innovative Technology in Funeral Homes: Challenges & Victories, November 21, 2013, 1 ceu

Selected Independent Funeral Homes

- SIFH 2013 Spring Management Summit, May 1-3, 2013, 8 ceu

Vermillion County Funeral Directors Association

- Global Harmonization/Hazard Comm., April 16, 2013, 1 ceu
- Chemical Specific Standards, April 16, 2013, 1 ceu
- VA Burial Benefits 101 Flag folding, April 16, 2013, 1 ceu
- Trust Funds Vs. Insurance Pre-need, April 16, 2013, 1 ceu
- Local Fatality Management, April 16, 2013, 1 ceu
- Jewish Funeral Customs, April 16, 2013, 1 ceu
- Cemetery Oversight Act Update, April 16, 2013, 1 ceu

CONTINUING EDUCATION DISCUSSION

The board would like to know how does a continuing education provider determine the length of time a distance learning course should take to complete and the procedures they follow (registration through providing proof of completion).

ANATOMICAL GIFT ACT STATUTE

Funeral Planning Declaration is required when a person bequeaths his/her body as an anatomical gift act and the institution wants to cremate the body. Otherwise the authorized agent has authority of final disposition. K. McDowell will research the matter.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 2:00 p.m.